

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
N/S Riverside Road, 80 ft. E of	* ZONING COMMISSIONER
c/l Plateau Road	
31 Riverside Road	* OF BALTIMORE COUNTY
15th Election District	
7th Councilmanic District	* Case No. 97-361-A
William H. Ault, Jr., et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by William H. Ault, Jr. and Carol A. Ault, his wife, for that property known as 31 Riverside Road in the Eastern Terrace subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.C.1 of the of the Baltimore County Zoning Regulations (BCZR) to allow a 20 ft. rear yard setback in lieu of 30 ft. for a proposed addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER REC'D - OR FILING
Date 4/1/97
By M. Spach

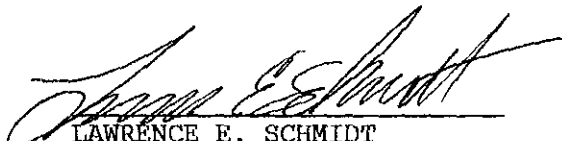
ENCLOSURE

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of April, 1997 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the of the Baltimore County Zoning Regulations (BCZR) to allow a 20 ft. rear yard setback in lieu of 30 ft. for a proposed addition, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 4/1/97
By M. Dard



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 27, 1997

Mr. and Mrs. William H. Ault, Jr.
31 Riverside Road
Essex, Maryland 21221

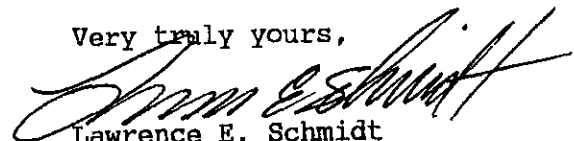
RE: Petition for Administrative Variance
Case No. 97-361-A
Property: 31 Riverside Road

Dear Mr. and Mrs. Ault:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

c: Mr. John DeGraw, Welsh Construction Co., 3901 E. Monument St.
Baltimore, Md. 21205



Petition for Administrative Variance

97-361-A

to the Zoning Commissioner of Baltimore County

for the property located at 31 Riverside RD. -

which is presently zoned OR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 B02.3.C.1 to permit a 20' rear yard in lieu of 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To allow construction of a family room to provide additional living space on the ground floor. New construction would extend twelve (12) feet into property line setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: MLH DATE: 2/26/97
ESTIMATED POSTING DATE: 3/9/97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 361

Affidavit

in support of 97-361-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 31 RIVERBIDE RD.
address
ESSEX MARYLAND 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The homeowners wish to continue to reside in their home of 10 years,
but they require additional living space on ground floor for health
reasons.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William A. Ault Jr.
(signature)
WILLIAM A. AULT JR.
(type or print name)



Carol A. Ault
(signature)
CAROL A. AULT
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of Feb., 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

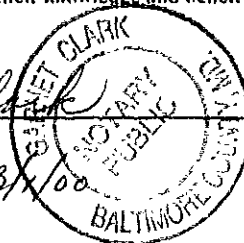
William A. Ault Jr. and Carol A. Ault

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

[Signature]
date

[Signature]
NOTARY PUBLIC
My Commission Expires: 3/1/00



RECEIVED

ZONING DESCRIPTION FOR
#31 RIVERSIDE ROAD
ESSEX, MD 21221

97-361-A

Beginning at a point on the north side of Riverside Road, which is 30 feet wide at a distance of 80 feet ^{East} ~~West~~ of the centerline of the nearest improved intersecting street Plateau Road which is 30 feet wide.

Being Lot #14, Block #4, Section #J in the subdivision of Eastern Terrace as recorded in Baltimore County Plat Book #12, Folio #119, containing 5,400 square feet. Also known as #31 Riverside Road and located in the 15th Election District, 7th Councilmanic District.

PAID

361

ALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

032647

No.

97-361-A

DATE 2/26/97

BY Jan. 361

RECEIVED For Lang

FROM: 31 Riverside Rd

FOR: Wm. Lee - 610 - 50.00

AMOUNT \$ 50.00

ACCOUNT 61-615

VALIDATION OR SIGNATURE OF CASHIER

\$50.00

UTAD000021MCHRC
BA C009106AM02-26-97

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 97-361-A

Petitioner/Developer: _____

William AULT

Date of ~~Hearing~~/Closing: 3/24/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

31 RIVERSIDE RD. BALTIMORE, MD. 21221

The sign(s) were posted on 3-7-97
(Month, Day, Year)

Sincerely,

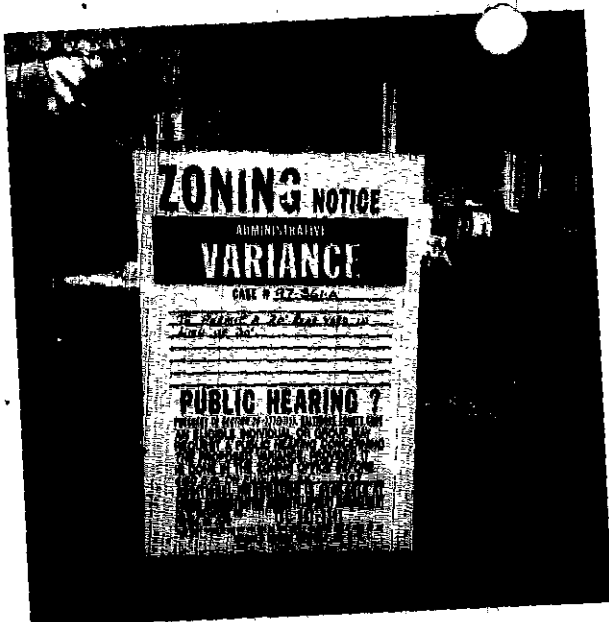
Thomas P. Ogde 3/7/97
(Signature of Sign Poster and Date)

THOMAS P. OGDE, SR.
(Printed Name)

325 NICHOLSON ROAD
(Address)

BALTIMORE, MARYLAND 21221
(City, State, Zip Code)

(410) 687-8405
(Telephone Number)



97-361-A



Baltimore County
Department of Permits and
Development Management

#361
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 361

Petitioner: William Ault

Location: 31 Riverside Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: William Ault

ADDRESS: 31 Riverside Drive

Essex MD 21221

PHONE NUMBER: (410) 732-1360

AJ:ggs

MICRONIMES

(Revised 09/24/96)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3/9/97.

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-361

to permit a 20' rear yard in lieu
of 30'

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-361-A

31 Riverside Road

N/S Riverside Road, 80' E of c/l Plateau Road

15th Election District - 7th Councilmanic

Legal Owner(s): William H. Ault, Jr. and Carol A. Ault

Post by Date: 3/9/97

Closing Date: 3/24/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: William and Carol Ault
John DeGraw



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 10, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 339, 357, 360, 361, 364, 365, 366, and 367

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/13/97

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 14, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 353 367
 356
 358
 359
 360
 (361)
 362
 363
 364
 365

RBS:sp

BRUCE2/DEPRM/TXTSBP

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 12, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP--1105

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING of March 10, 1997.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

355, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, & 367



Joe Merrey

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 17, 1997

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 17, 1997
Item Nos. 357, 359, and 361

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

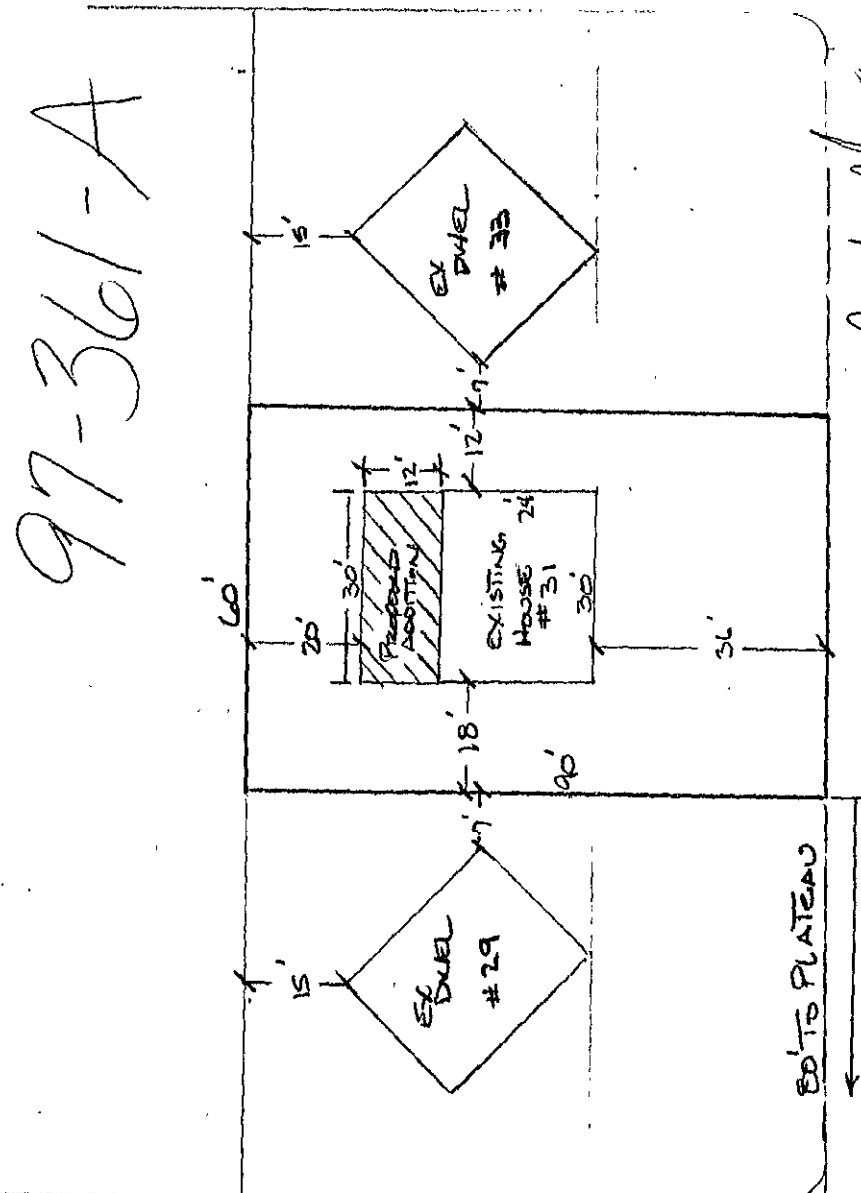
RWB:HJO:jrb

cc: File

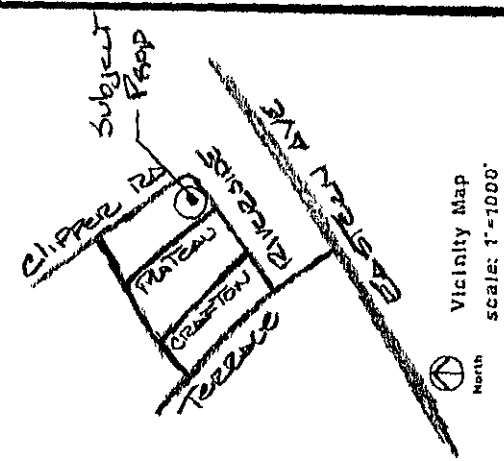
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 31 RIVERSIDE RD 21221 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: EASTERN TERRACE
 plat book # 12, folio # 119, lot # 14, section # 3
 OWNER: William & Carol AULT



North
 date: JOHN DELANEY Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Election District: 15
 Councilmanic District: 7
 1"=200' scale map: TIME
 Zoning: DZ S-S NE 1 G
 Lot size: 0.124 acreage 5400 square feet

public private
 SEWER: ☒ ☐
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ML ITEM #: 361 CASE #:



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3.11.97
Item No. 361 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

100-217-1000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 10, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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Item Nos. 339, 357, 360, 361, 364, 365, 366, and 367

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL



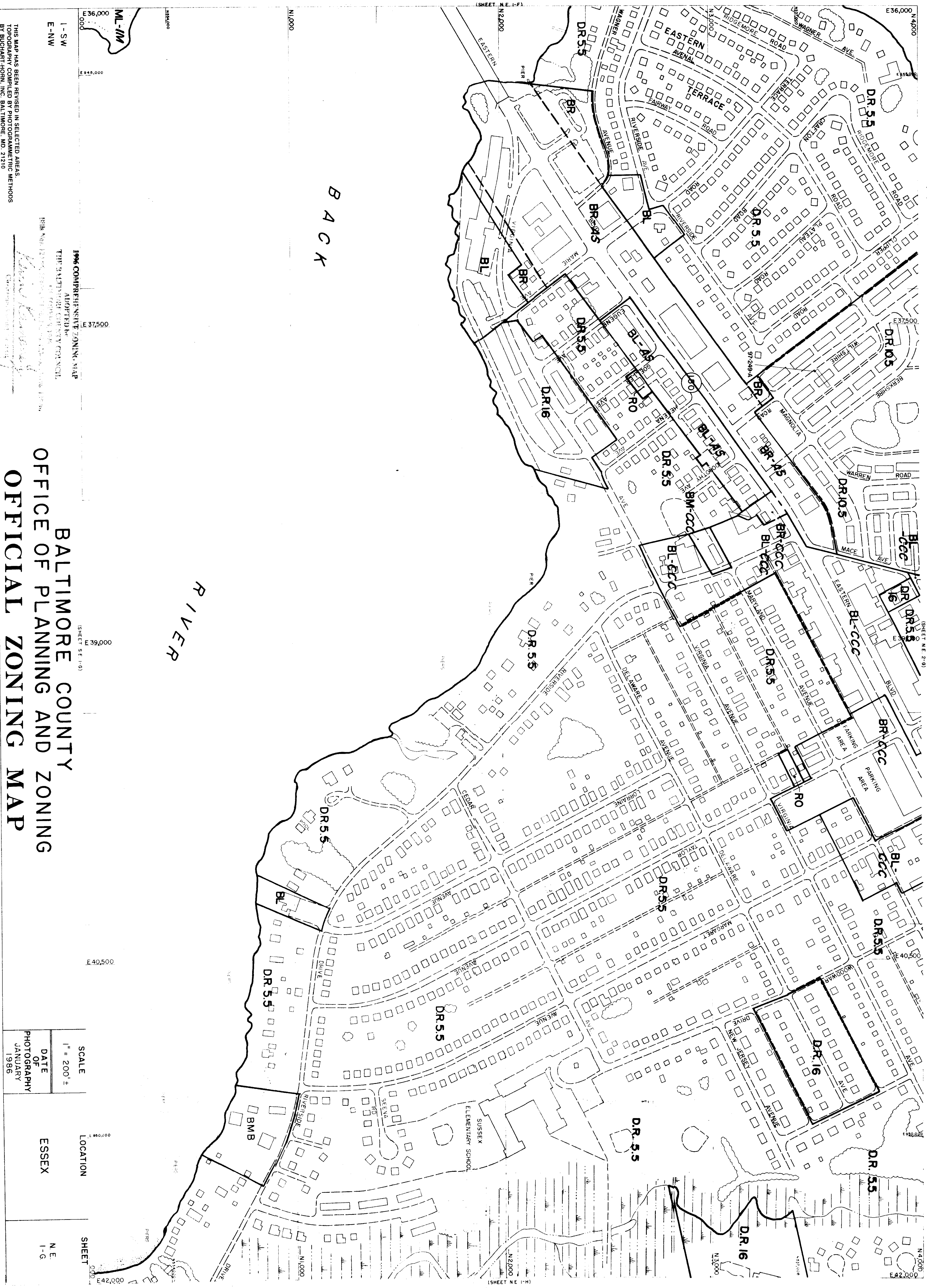
PREPARED BY AIR PHOTOGRAPHICS, INC.
LITTONSBURG, W.V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	ESSEX	N.E. 1-6
DATE OF PHOTOGRAPHY JANUARY 1986	UNCOMPLETED	

361

97-361-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE	LOCATION	SHEET
1" = 200' ±	ESSEX	N.E. 1-G
DATE OF PHOTOGRAPHY JANUARY 1986		